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Written statement* submitted by the Alsalam Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 May 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Joint Military Coalition in the Republic of Yemen Must Adhere to Principles of International Humanitarian Law

Alsalam Foundation, in coordination with Americans for Democracy and Human Rights in Bahrain and the Bahrain Institute for Rights and Democracy, would like to take the occasion of the 29th Session of the Human Rights Council to discuss the ongoing violence in the Republic of Yemen. A joint military force led by the Kingdom of Saudi Arabia has recently intervened in the conflict, exacerbating an extant humanitarian crisis and further endangering Yemeni civilians. We call on the members of this coalition, and in particular Saudi Arabia, to ensure that coalition forces conduct operations in strict accordance with international law, and we request that the international community take efforts to monitor coalition adherence to humanitarian principles.

In March 2015, Saudi Arabia organized a coalition of nine Arab countries with the stated purpose of intervening in the Yemeni civil war and restoring the government of deposed President Abd Rabbu Mansour Hadi. Soon after, a joint military force composed of troops from Saudi Arabia, Bahrain, Egypt, Morocco, Jordan, Sudan, Kuwait, Qatar, and the United Arab Emirates began operations in the Republic of Yemen. The first phase of the operations, entitled Decisive Storm, consisted of a sustained aerial campaign. At its height, the coalition launched more than a 100 sorties a day.[1] Saudi Brigadier General Ahmed bin Hasan Asiri, the spokesperson for the coalition, has stated that approximately 70% of the airstrikes have been conducted by Saudi Arabia.[2]

Operation Decisive Storm came to an official close on 21 April, but the second phase of the coalition's intervention, Operation Renewal of Hope, has proven to be just as destructive. Over two weeks since Saudi officials announced an end to the campaign, coalition air forces have sustained almost the same level of activity; on 3 May, bystanders and officials witnessed more than 150 airstrikes hit the Aden airport alone.[3] On 1 May, a coalition bombing run killed at least 17 people, including four children and nine women. The World Health Organization reports that since the intervention began in March, at least 1,244 Yemenis have died and an additional 5,044 were injured.[4] With no end in sight, coalition operations threaten to impact millions more. The coalition's systematic targeting of infrastructure – what limited infrastructure still functions in a country teetering on the edge of famine – threatens to exponentially hasten the complete collapse of the Yemeni state.

The coalition's air campaign has accomplished the further isolation of Yemeni civilians. In its indiscriminate and haphazard use of force, the campaign has bombed camps for internally displaced persons,[5] residential areas,[6] schools,[7]

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[1] Al Arabiya. "Saudi-led coalition launches 100 air sorties in 24 hours." (Al Arabiya: 17 April, 2015). Retrieved from: http://english.alarabiya.net/en/News/middle-east/2015/04/17/Saudi-spokesman-holds-daily-brief-on-Yemen-strikes.html

[2] Maria abi-Habib. "Saudi-led Coalition Accused of Using U.S.-Supplied Cluster Munitions in Yemen." (The Wall Street Journal: 3 May 2015). Retrieved from: http://www.wsj.com/articles/saudi-led-coalition-accused-of-using-u-s-supplied-cluster-munitions-in-yemen-1430637102

[3] Al Jazeera. "Airstrikes hit Yemen airports as Saudis ponder ceasefire." (Al Jazeera: 5 May 2015). Retrieved from: http://america.aljazeera.com/articles/2015/5/4/airstrikes-hit-yemen-airports-as-saudis-ponder-cease-fire.html

[4] Abi-Habib (2015).

[5] Lizzie Dearden. "Saudi Arabia accused of killing 40 including children in air strike on Yemen refugee camp." The Independent. Accessed 20 April 2015. http://www.independent.co.uk/news/world/middle-east/saudi-arabia-accused-of-killing-40-including-children-in-air-strike-on-yemen-refugee-camp-10145294.html.

[6] "Aid agency Oxfam condemns Saudi air strike in Yemen." Reuters. Accessed 20 April 2015. http://www.reuters.com/article/2015/04/20/us-yemen-security-humanitarian-idUSKBN0NB0DX20150420.

[7] UN High Commissioner for Human Rights Prince Zeid Ra'ad Al Hussein. "Yemen: Zeid calls for investigations into civilian casualties." The United Nations Office for the High Commissioner for Human Rights. 14

and medical[8] and aid facilities.[9] According to OHCHR, by the end of April the coalition had destroyed at least eight operational hospitals.[10]

Moreover, coalition forces have repeatedly targeted crucial transportation hubs like airports and shipping harbors, effectively blockading the country from the air and sea.[11] For Yemeni civilians, who import most of their essential resources like fuel and 90% of their already insufficient food supply, the results have been devastating.[12] WFM states that its monthly fuel requirements have risen from 40,000 liters to over a million liters.[13] The ensuing fuel shortage has made transporting aid by land routes not just dangerous, but practically impossible. As a consequence, what few medical facilities have survived the airstrikes are rapidly running out of both power and supplies.[14]

Humanitarian organizations have not just been crippled by war-inflicted scarcity; they have been targeted by the air campaign. In one instance, coalition forces struck an OXFAM warehouse filled with humanitarian aid, killing a nearby individual. As the organization has disclosed all it's the location of all its sites to Saudi authorities, Human Rights Watch has concluded that the incident constitutes an "apparent violation of the laws of war".[15]

These concerns have been amplified by the coalition's alleged use of American-made cluster munitions.[16] Indiscriminate weapons that disproportionately kill and maim civilians, cluster munitions are banned by 116 of the world's nations under the 2008 Oslo Process.[17] Although Saudi Arabia and the United States are not signatories to the Convention on Cluster Munitions, the former has denied their use in Yemen, and the latter has barred their export for use in civilian areas.[18]

We are deeply concerned that coalition attacks on civilian, medical, and aid centers constitute a significant violation of international humanitarian law, and could potentially rise to the level of war crimes committed against the civilian and refugee populations in Yemen. According to the Geneva Conventions, which is part of customary international law, and which all members of the coalition have universally ratified, the coalition is required to conduct hostilities in a manner that targets only legitimate military objectives, without engaging in indiscriminate attacks or the intentional targeting of civilian populations. Additionally, the coalition must pay special respect towards medical practitioners, neither interfering with a health care worker's duty to treat any and all persons associated with the conflict nor targeting a health care worker in retaliation against his or her provision of aid for combatants associated with an opposing party.

April 2015. Accessed 20 April 2015. http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15836&LangID=E.

[8] BBC. "Yemen conflict: Dozens killed in Saudi-led air strikes." (BBC, 21 April 2015). Retrieved from: http://www.bbc.com/news/world-middle-east-32394471

[9] Reuters. "Aid agency Oxfam condemns Saudi air strike in Yemen." (Reuters, 20 April 2015). Retrieved from: http://www.reuters.com/article/2015/04/20/us-yemen-security-humanitarian-idUSKBN0NB0DX20150420

[10] UNHCHR Prince Hussein, (2015).

[11] Patrick Cockburn. "Yemen crisis: Terrified citizens caught between Saudi Arabia and Iran as air strikes and blockade threaten humanitarian disaster for millions." (The Independent, 1 May 2015). Retrieved from: http://www.independent.co.uk/news/world/middle-east/yemen-crisis-terrified-citizens-caught-between-saudi-arabia-and-iran-as-air-strikes-and-blockade-threaten-humanitarian-disaster-for-millions-10220087.html

[12] World Food Programme. "WFP Emergency Food Distributions Come To A Halt In Yemen Due To Severe Fuel Shortages." (WFP, 30 April 2015). Retrieved from: https://www.wfp.org/news/news-release/wfp-emergency-food-distributions-come-halt-yemen-due-severe-fuel-shortages

[13] Reuters. "Aid agencies warn fuel shortages may end their work in Yemen." (Reuters, 6 May 2015).

[14] Ibid.

[15] Human Rights Watch. "Yemen: Warehouse Strike Threatens Aid Delivery." (HRW, 23 April 2015). Retrieved from: http://www.hrw.org/news/2015/04/22/yemen-warehouse-strike-threatens-aid-delivery

[16] Abi-Habib, (2015).

[17] Human Rights Watch. "Yemen: Saudi-led Airstrikes Use Cluster Munitions." (HRW, 3 May 2015). Retrieved from: http://www.hrw.org/news/2015/05/03/yemen-saudi-led-airstrikes-used-cluster-munitions

[18] Abi-Habib, (2015).

The coalition must specifically refrain from the targeting of hospitals and ambulances, and allow medical practitioners to fulfill their duties without the threat of attack from coalition forces.

In light of substantial evidence that many of these principles have been ignored, we must strongly urge the coalition governments to extend the impending ceasefire in Yemen, and to guarantee that any further military action adheres to the provisions of international humanitarian law. The coalition must respect its commitments towards civilians, medics, and aid workers caught in the conflict, and cease the targeting of civilian and refugee population centers and medical treatment and aid facilities. Furthermore, we ask that coalition forces take steps to facilitate the safe transit and operation of medical practitioners in the area, and to both allow and expedite their access to areas in which their services are required.